

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re: PASSARELLI, LEONARD M
PASSARELLI, ROXANNE

§ Case No. 813-76213

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Debtor(s)

TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under Chapter 7 of the United States Bankruptcy Code was filed on December 13, 2013. The undersigned trustee was appointed on December 13, 2013.

2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.

3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized the gross receipts of \$ 3,600.00

Funds were disbursed in the following amounts:

Payments made under an
interim distribution

0.00

Administrative expenses

0.00

Bank service fees

70.00

Other payments to creditors

0.00

Non-estate funds paid to 3rd Parties

0.00

Exemptions paid to the debtor

0.00

Other payments to the debtor

0.00

Leaving a balance on hand of¹

\$ 3,530.00

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

¹ The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of the disbursement of the additional interest.

6. The deadline for filing non-governmental claims in this case was 04/23/2014 and the deadline for filing governmental claims was 06/11/2014. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$900.00. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests the sum of \$900.00, for a total compensation of \$900.00². In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00 and now requests reimbursement for expenses of \$238.86, for total expenses of \$238.86.²

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 09/23/2014 By: /s/KENNETH KIRSCHENBAUM
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

² If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D)

Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 813-76213**Trustee:** (520680) KENNETH KIRSCHENBAUM**Case Name:** PASSARELLI, LEONARD M
PASSARELLI, ROXANNE**Filed (f) or Converted (c):** 12/13/13 (f)**\$341(a) Meeting Date:** 01/21/14**Period Ending:** 09/23/14**Claims Bar Date:** 04/23/14

1 Asset Description (Scheduled And Unscheduled (u) Property) Ref. #	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property <u>Abandoned</u> OA=\$554(a)	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1 Location: 1 Hickory Hill Road, Dix Hills NY	659,000.00	0.00		0.00	FA
2 Citibank - checking and savings	0.00	0.00		0.00	FA
3 Misc. Furniture	4,000.00	0.00		0.00	FA
4 Misc. Books	500.00	0.00		0.00	FA
5 Misc. Clothing	2,000.00	0.00		0.00	FA
6 Wedding bands	750.00	0.00		0.00	FA
7 IRA Newport Coast Securities Irvine, CA 92612	28,832.43	0.00		0.00	FA
8 IRA Newport Coast Securities Irvine, CA 92612	18,895.90	0.00		0.00	FA
9 Volkswagon 2010 Golf 80,000 Miles	11,875.00	0.00		0.00	FA
10 2008 Audi A5 Approx 66,992 Miles	17,750.00	2,677.00		2,750.00	FA
11 2008 Volkswagon Jetta Approx 60,000 miles	4,950.00	950.00		850.00	FA
11 Assets Totals (Excluding unknown values)	\$748,553.33	\$3,627.00		\$3,600.00	\$0.00

Major Activities Affecting Case Closing:

cars and non-exempt funds

Initial Projected Date Of Final Report (TFR): November 30, 2014**Current Projected Date Of Final Report (TFR):** September 23, 2014 (Actual)

Form 2

Cash Receipts And Disbursements Record

Case Number: 813-76213
Case Name: PASSARELLI, LEONARD M
 PASSARELLI, ROXANNE
Taxpayer ID #: **-***3381
Period Ending: 09/23/14

Trustee: KENNETH KIRSCHENBAUM (520680)
Bank Name: Rabobank, N.A.
Account: *****3866 - Checking Account
Blanket Bond: \$62,256,000.00 (per case limit)
Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
02/14/14		debtor	cars		1,000.00		1,000.00
	{11}		850.00	1129-000			1,000.00
	{10}		150.00	1129-000			1,000.00
02/28/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	990.00
03/12/14	{10}	debtor	car	1129-000	1,000.00		1,990.00
03/31/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	1,980.00
04/14/14	{10}	Roxanne Passarelli	car	1129-000	1,000.00		2,980.00
04/30/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	2,970.00
05/14/14	{10}	Roxanne Passarelli	car	1129-000	600.00		3,570.00
05/30/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	3,560.00
06/30/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	3,550.00
07/31/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	3,540.00
08/29/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	3,530.00

ACCOUNT TOTALS	3,600.00	70.00	\$3,530.00
Less: Bank Transfers	0.00	0.00	
Subtotal	3,600.00	70.00	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$3,600.00	\$70.00	

Net Receipts : 3,600.00

Net Estate : \$3,600.00

	Net Receipts	Net Disbursements	Account Balances
TOTAL - ALL ACCOUNTS			
Checking # *****3866	3,600.00	70.00	3,530.00
	\$3,600.00	\$70.00	\$3,530.00

Exhibit C - Court Claims Register**Case: 813-76213****PASSARELLI, LEONARD M**

Claims Bar Date: 04/23/14

Claim Number	Claimant Name / <Category>, Priority	Claim Type/ Date Filed	Claim Ref./ Notes	Amount Filed/ Allowed	Paid to Date	Claim Balance
15S	Marlin Business Bank 300 Fellowship Road Attn: Bankruptcy Dept. Mount Laurel, NJ 08054 <4210-00 Pers. Prop. & Intangibles--Consensual Liens (UCC, chattel, PMSI)>, 100	Secured 03/20/14	This creditor is secured and will not be sharing in distribution.	\$1,850.00 \$0.00	\$0.00	\$0.00
3P	NYS Dept of Taxation & Finance Bankruptcy Section PO Box 5300 Albany, NY 12205-0300 <5800-00 Claims of Governmental Units>, 570	Priority 02/07/14		\$114,551.24 \$114,551.24	\$0.00	\$114,551.24
1	Empire Merchants, LLC 16 Bridgewater Street Brooklyn, NY 11222-9964 <7100-00 General Unsecured § 726(a)(2)>, 610	Unsecured 12/30/13		\$19,121.75 \$19,121.75	\$0.00	\$19,121.75
2	Quantum3 Group LLC as agent for Comenity Capital Bank PO Box 788 Kirkland, WA 98083-0788 <7100-00 General Unsecured § 726(a)(2)>, 610	Unsecured 01/28/14		\$127.71 \$127.71	\$0.00	\$127.71
4	Active Fire Control 5-16 47th Ave Long Island City, NY 11101 <7100-00 General Unsecured § 726(a)(2)>, 610	Unsecured 01/31/14		\$2,708.46 \$2,708.46	\$0.00	\$2,708.46
5	VIS Plumbing heating & Mechanical Corp 38-17 54th Street Woodside, NY 11377 <7100-00 General Unsecured § 726(a)(2)>, 610	Unsecured 02/04/14		\$34,000.00 \$34,000.00	\$0.00	\$34,000.00
6	Classic Wines Inc. 52 Poplar Street Stamford, CT 06907 <7100-00 General Unsecured § 726(a)(2)>, 610	Unsecured 02/07/14		\$2,550.00 \$2,550.00	\$0.00	\$2,550.00
7	Andrew Duane C/O Elias C Schwartz, Esq 343 Great Neck Road Great Neck, NY 11021 <7100-00 General Unsecured § 726(a)(2)>, 610	Unsecured 02/07/14		\$40,314.00 \$40,314.00	\$0.00	\$40,314.00

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Exhibit C - Court Claims Register**Case: 813-76213****PASSARELLI, LEONARD M**

Claims Bar Date: 04/23/14

Claim Number	Claimant Name / <Category>, Priority	Claim Type/ Date Filed	Claim Ref./ Notes	Amount Filed/ Allowed	Paid to Date	Claim Balance
8	John Weston 355 Violet Street Massapequa Park, NY 11762 <7100-00 General Unsecured § 726(a)(2)>, 610	Unsecured 02/07/14		\$40,000.00 \$40,000.00	\$0.00	\$40,000.00
9	Wells Fargo Card Services 1 Home Campus 3rd Floor Des Moines, IA 50328 <7100-00 General Unsecured § 726(a)(2)>, 610	Unsecured 02/14/14		\$20,023.92 \$20,023.92	\$0.00	\$20,023.92
10	Clear Beer Draft Systems 51 Fawn Lane West South Setauket, NY 11720 <7100-00 General Unsecured § 726(a)(2)>, 610	Unsecured 02/26/14		\$658.77 \$658.77	\$0.00	\$658.77
11	New York Wine & Spirits 10 Dunnigan Drive Suffern, NY 10901 <7100-00 General Unsecured § 726(a)(2)>, 610	Unsecured 02/28/14		\$47.20 \$47.20	\$0.00	\$47.20
12	Manhattan Beer Dist. 955 E 149th Street 10455 <7100-00 General Unsecured § 726(a)(2)>, 610	Unsecured 02/28/14		\$1,264.88 \$1,264.88	\$0.00	\$1,264.88
13	Wells Fargo Bank, N.A. Business Direct Division P.O. Box 29482 Phoenix, AZ 85038-8650 <7100-00 General Unsecured § 726(a)(2)>, 610	Unsecured 03/12/14		\$31,314.70 \$31,314.70	\$0.00	\$31,314.70
14	Winebow PO Box 416636 Boston, MA 02241-6636 <7100-00 General Unsecured § 726(a)(2)>, 610	Unsecured 03/14/14		\$3,195.60 \$3,195.60	\$0.00	\$3,195.60
15U	Marlin Business Bank 300 Fellowship Road Attn: Bankruptcy Dept. Mount Laurel, NJ 08054 <7100-00 General Unsecured § 726(a)(2)>, 610	Unsecured 03/20/14		\$32,594.04 \$32,594.04	\$0.00	\$32,594.04
16	Marlin Business Bank 300 Fellowship Road Attn: Bankruptcy Dept. Mount Laurel, NJ 08054 <7100-00 General Unsecured § 726(a)(2)>, 610	Unsecured 03/20/14		\$11,740.28 \$11,740.28	\$0.00	\$11,740.28

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Exhibit C - Court Claims Register**Case: 813-76213****PASSARELLI, LEONARD M**

Claims Bar Date: 04/23/14

Claim Number	Claimant Name / <Category>, Priority	Claim Type/ Date Filed	Claim Ref./ Notes	Amount Filed/ Allowed	Paid to Date	Claim Balance
17	American Express Bank, FSB c o Becket and Lee LLP POB 3001 Malvern, PA 19355-0701 <7100-00 General Unsecured § 726(a)(2)>, 610	Unsecured 03/25/14		\$37,488.26 \$37,488.26	\$0.00	\$37,488.26
19	Christine Quinn 3 Croft Place Huntington, NY 11743 <7200-00 Tardy General Unsecured § 726(a)(3)>, 620	Unsecured 04/24/14		\$20,000.00 \$20,000.00	\$0.00	\$20,000.00
3U	NYS Dept of Taxation & Finance Bankruptcy Section PO Box 5300 Albany, NY 12205-0300 <7300-00 Fines, Penalties § 726(a)(4)>, 630	Unsecured 02/07/14		\$29,237.54 \$29,237.54	\$0.00	\$29,237.54
18	NYS Workers Compensation Board 328 State Street Schenectady, NY 12305 <7300-00 Fines, Penalties § 726(a)(4)>, 630	Unsecured 04/09/14		\$56,524.17 \$56,524.17	\$0.00	\$56,524.17
Case Total:					\$0.00	\$497,462.52

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 813-76213

Case Name: PASSARELLI, LEONARD M

Trustee Name: KENNETH KIRSCHENBAUM

Balance on hand: \$ 3,530.00

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Claim Asserted	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
15S	Marlin Business Bank	1,850.00	0.00	0.00	0.00

Total to be paid to secured creditors: \$ 0.00Remaining balance: \$ 3,530.00

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee, Fees - Kenneth Kirschenbaum, Trustee	900.00	0.00	900.00
Trustee, Expenses - Kenneth Kirschenbaum, Trustee	238.86	0.00	238.86

Total to be paid for chapter 7 administration expenses: \$ 1,138.86Remaining balance: \$ 2,391.14

Applications for prior chapter fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
None			

Total to be paid for prior chapter administrative expenses: \$ 0.00Remaining balance: \$ 2,391.14

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$114,551.24 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
3P	NYS Dept of Taxation & Finance	114,551.24	0.00	2,391.14

Total to be paid for priority claims: \$ 2,391.14Remaining balance: \$ 0.00

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 277,149.57 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full.

The timely allowed general (unsecured) dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
1	Empire Merchants, LLC	19,121.75	0.00	0.00
2	Quantum3 Group LLC as agent for	127.71	0.00	0.00
4	Active Fire Control	2,708.46	0.00	0.00
5	VIS Plumbing heating & Mechanical Corp	34,000.00	0.00	0.00
6	Classic Wines Inc.	2,550.00	0.00	0.00
7	Andrew Duane	40,314.00	0.00	0.00
8	John Weston	40,000.00	0.00	0.00
9	Wells Fargo Card Services	20,023.92	0.00	0.00
10	Clear Beer Draft Systems	658.77	0.00	0.00
11	New York Wine & Spirits	47.20	0.00	0.00
12	Manhattan Beer Dist.	1,264.88	0.00	0.00
13	Wells Fargo Bank, N.A.	31,314.70	0.00	0.00
14	Winebow	3,195.60	0.00	0.00
15U	Marlin Business Bank	32,594.04	0.00	0.00
16	Marlin Business Bank	11,740.28	0.00	0.00
17	American Express Bank, FSB	37,488.26	0.00	0.00

Total to be paid for timely general unsecured claims: \$ 0.00

Remaining balance: \$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$ 20,000.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Tardily filed general (unsecured) claims are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
19	Christine Quinn	20,000.00	0.00	0.00

Total to be paid for tardy general unsecured claims: \$ 0.00

Remaining balance: \$ 0.00

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 85,761.71 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent, plus interest (if applicable).

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
3U	NYS Dept of Taxation & Finance	29,237.54	0.00	0.00
18	NYS Workers Compensation Board	56,524.17	0.00	0.00

Total to be paid for subordinated claims: \$ 0.00

Remaining balance: \$ 0.00